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Attorney for Debtor:  
Divinder Kaur Hundal

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA**

In re:

Divinder Kaur Hundal  
Debtor.

) Case No.: 2016-25239  
) DC No.: DAO-03

**MOTION TO COMPEL ABANDONMENT  
OF PROPERTY OF THE ESTATE**

) Date: February 1, 2017  
) Time: 10:00 a.m.  
) Place: Courtroom 34, 6th Floor  
) 501 I Street  
) Sacramento, CA 95814  
) Judge: Hon. Robert S. Bardwil

Debtor Divinder Kaur Hundal ("Debtor"), through her attorney Dale Orthner, hereby moves this Court for an Order compelling the Chapter 7 Trustee to abandon certain property of the bankruptcy estate, specifically the 2014 Dodge Ram 3500 truck ("Vehicle"). In support of this Motion, Debtor respectfully represents:

1. This motion is brought pursuant to 11 U.S.C. § 554(b). The Declarations of Debtor and Debtor's Husband in support of this motion are attached here and incorporated by reference, as is Exhibit A.

2. Vehicle is described extensively in the Declaration of Debtor's Husband, as being the Tradesman crew cab trim, two wheel drive, which is one of the cheapest of the many trims in which a 2014 Dodge Ram 3500 is offered.

3. As detailed in the Declaration of Debtor, the first indication of any specific contrary value by trustee was in her declaration filed one week ago today. Had that indication

1 been stated in any way previously, the accompanying amendments to add the remaining  
2 additional \$4,000.00 of “wildcard” exemption under Cal. C.C.P. § 703.140(b)(5), and the  
3 \$8,000.00 of the tools of trade exemption under Cal. C.C.P. § 703.140(b)(6), would have been  
4 made previously.

5 4. 11 U.S.C. § 554(b) provides that on “request of a party in interest and after notice  
6 and a hearing, the court may order the trustee to abandon any property of the estate that is  
7 burdensome to the estate or that is of inconsequential value and benefit to the estate.”

8 5. Trustee earlier today expressed concerns over her liability for Vehicle as an asset  
9 of the estate, including requesting that she be added as a named insured and loss payee, which  
10 was in turn requested of the current insurer today. Granting this motion relieves her of said  
11 liability, and the burden to the estate adherent to that liability.

12 6. Further, as shown in the summary paragraphs of both declarations, the value of  
13 Vehicle to the bankruptcy estate is negative \$11,760.00. As such, Vehicle is of inconsequential  
14 value and benefit to the estate. Granting this motion therefore denies no benefit to the estate.

#### 15 RESTATEMENT

16 WHEREFORE, the Debtor, through the Debtor’s newly substituted attorney, hereby moves  
17 this Court for an Order compelling the Chapter 7 Trustee to abandon certain property of the  
18 bankruptcy estate, specifically the 2014 Dodge Ram 3500 truck.

19  
20 Respectfully Submitted: January 18, 2017

By: /s/ Dale Orthner

Dale Orthner

Attorney for Debtor:

Divinder Kaur Hundal